

REMARKS

In response to the final Office Action mailed October 22, 2004 and in view of the enclosed RCE, Applicant respectfully requests reconsideration. Claims 1-3, 8, 9 and 16-21 were previously pending in this application. By this amendment, Applicant amends claims 1, 8 and 9. As a result, claims 1-3, 8, 9, and 16-21 are pending for examination with claim 1 being an independent claim. No new matter has been added.

I. Rejections Under 35 U.S.C. §102

The Office Action rejects claims 1-3, 8, 9, 16-18, 20 and 21 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,115,466 to Bella et al. ("Bella"). Applicant respectfully traverses the rejection.

Bella discloses a dual-mode filter network for an asymmetric digital subscriber line (ADSL) that has a first frequency response when plain old telephone service (POTS) is on-hook and has a second frequency response when POTS is off-hook (Abstract). FIGS. 3A through 3C report filter networks having a variety of switch configurations that can be used to select between the first frequency response and the second frequency response. FIG. 5 discloses a circuit diagram 270 of a preferred embodiment of a filter network arranged to select between a first frequency response (first mode) and a second frequency response (second mode) (Col. 7, lines 15-20). The circuit illustrated in FIG. 5 activates or deactivates a number of discrete elements when the filter network is switched between the first mode and the second mode (Col. 7, lines 17-21).

Specifically, when the filter network is moved from off-hook to on-hook, a relay causes contacts X1 and X2 to open and X3 to close (Col. 7, lines 43-47). In this on-hook mode, resistor R11 is short circuited and capacitors C14 and C15 are in electrical parallel to provide the first frequency response (Col. 7, lines 47-52). When the filter network is moved from on-hook to off-hook, the relay causes contacts X1 and X2 to close and contact X3 to open (Col. 8, lines 9-13). In this off-hook mode, resistors R12, R13, R14, R15 and capacitors C12 and C13 operate together to provide the second frequency response (Col. 8, lines 17-20).

In short, Bella discloses a circuit that switches between a first set of discrete elements to provide a first frequency response in an on-hook mode and a second set of discrete elements to provide a second frequency response in an off-hook mode. However, Bella nowhere reports an echo cancel circuit coupled to the filter network to provide an adjustment to signals provided by the filter network. That is, Bella changes the frequency response of the filter network, but is completely silent with respect to echo canceling modifications to the signals that result, and more particularly, is silent with respect to an echo canceling adjustment that can be selected.

Claim 1, as amended, recites a telephony device connected to a telephone line which supports multiple different telephone signal protocols, comprises a termination impedance circuit configured to provide an impedance associated with a frequency range of a first signal protocol, and an impedance associated with a frequency range of a second signal protocol, wherein the impedance associated with the frequency range of the second signal protocol is selectable to provide one of an off-state impedance and an on-state impedance in response to one of an off-state condition and an on-state condition associated with the second signal protocol, and an echo cancel circuit coupled to the termination impedance circuit, the echo cancel circuit adapted to provide an adjustment to, when present, signals provided by the termination circuit, the echo cancel circuit having a select signal to select the adjustment from a plurality of adjustments.

Bella nowhere discloses or suggests an “echo cancel circuit coupled to the termination impedance circuit, the echo cancel circuit adapted to provide an adjustment to, when present, signals provided by the termination circuit, the echo cancel circuit having a select signal to select the adjustment from a plurality of adjustments,” as recited in claim 1. Therefore, claim 1 patentably distinguishes over Bella and is in allowable condition.

Claims 2, 3, 8, 9, and 16-21 depend from claim 1 and are allowable for at least the same reasons.

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- 7 -

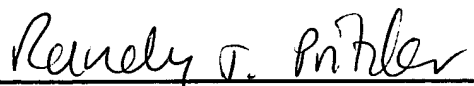
Art Unit: 2643

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
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